

### **REMARKS**

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-13 are currently being prosecuted. The Examiner respectfully requested to reconsider his rejection in view of the amendments and remarks as set forth below.

#### **Rejection under 35 U.S.C. § 112**

Claim 5 stands rejected under 35 U.S.C. § 112 second paragraph as being indefinite. The Examiner states that it is unclear as to the orientation and location of the main blade relative to the other recited elements. By way of the present amendment, applicants have re-worded this claim in order to make it more clear. The Examiner is also referred to page 7 lines, 10-15 of the specification which describes this feature.

#### **Rejection under 35 U.S.C. § 102**

Claims 1-4 and 6 are rejected under 35 U.S.C. § 102 as being anticipated by Astrom (US Patent 7,118,311). This rejection is respectfully traversed.

The Examiner points out that Astrom shows a milling cutter 1 including a cutter body provided with the plurality of inserts seats 8, a cutting insert 9 having a hexahedral shape which is inserted into the insert seats in either of two directions. The cutting insert includes a through hole 10 and cutting blade parts 19 and 19'. The Applicants submit that claim 1 is not anticipated by this reference.

By way of the present amendment, applicants have amended claim 1 to make it clear that the insert seats can be fastened in either of two perpendicular directions. In the prior art device, the insert can be rotated 180 degrees so that the opposite end may be used for cutting. However, in the present application, not only can the opposite ends be utilized, but in addition the insert can be attached in two perpendicular directions as shown in Figure 1. Accordingly, Applicants submit that claim 1 is not anticipated by Astrom.

Claims 2-9 depends from claim 1 and as such are also considered to allowable. In addition, each of these claims have other features that make them additionally allowable. Claim

3 specifically defines that the insert seats have first and second locking holes formed on first and second inner surfaces. The Examiner has stated that Astrom shows first and second locking holes. However, Applicants do not see this feature. Instead, Applicants submit that Astrom only shows a single hole in each seat. Accordingly, Applicants submit that claim 3 is additionally allowable.

Rejection under 35 U.S.C. § 103

Claims 5 and 7 stands rejected under 35 U.S.C. § 103 as being obvious over Astrom. The Examiner feels that it would be obvious to one of ordinary skill in the art to change the shape of the blade in order to change the shape of the insert and to change the ratio of the length of the sides as disclosed in these claims. Applicants submit that even if these changes would be obvious, these claims remain allowable based on their dependency from allowable claim 1.

New Claims

Applicants have also added new dependent claim 10 which further describes the direction of the two locking holes. Not only does Astrom only show a single hole, there is no indication of a need for a second hole in the perpendicular direction as presently claimed. Accordingly, Applicants submit that claim 10 is additionally allowable.

New claim 11 is an independent claim which is based on claim 1 but further describes the arrangement of the two locking holes and the two inner surfaces of the insert seat. As described above, Applicants submit that the reference does not teach this arrangement. Accordingly, claims 11 to 13 are likewise allowable.

Claim 12 is similar to claim 10 and describes the specific directions of the locking holes. Claim 13 further describes the arrangement of all the cutting blades and the possibility of arranging different blades within the insert seat. This is clearly not seen in the Astrom or the other references.

Conclusion

In view of the above remarks, it is believed that claims clearly distinguish over the patent relied on by the Examiner. In view of this, reconsideration of the rejection and allowance of all the claims are respectfully requested. Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact Robert F. Gnuse Reg. No. 27,295 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: July 19, 2007

Respectfully submitted,

By \_\_\_\_\_

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